



Attorney's Docket No.: 17084-004006/402E



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gyula Hadlaczký, *et al.*
Serial No. : 09/724,726
Filed : November 28, 2000
Cust. No. : 20985
Title : ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR
PREPARING ARTIFICIAL CHROMOSOMES

Art Unit : 1638
Examiner : Georgia Helmer
Conf. No. : 7776

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§1.97-1.98**

Dear Sir:

This Supplemental Information Disclosure Statement is filed prior to receipt of a first Office Action on the merits of the Request for Continued Examination of the above-captioned application. Thus, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (2 pages) and copies of cited non-U.S. patent references are provided herewith in connection with the above-captioned application.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
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Date of Deposit **January 6, 2005**
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie L. Seidman

The documents listed on the Form PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed item is necessary.

Applicant also makes known to the Examiner the following U.S. applications which are commonly owned and/or have one or more inventors in common:

| <u>U.S.S.N.</u> | <u>Filing Date</u> | <u>Docket No.</u> |
|-----------------|--------------------|---------------------|
| 10/976,394 | 10/29/04 | 17084-018005 (416E) |
| AWAITING | 12/06/04 | 17084-022002 (420B) |

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. 1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No. 17084-004006/402E

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| Substitute Form PTO-449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney's Docket No. 17084-004006/402E | Application No. 09/724,726 |
| | | Applicant Hadlaczky, <i>et al.</i> | |
| | | Filing Date November 28, 2000 | Group Art Unit 1638 |

List of Patents and Publications for Applicant's Information Disclosure Statement

(37 CFR §1.98(b))

U.S. Patent Documents

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
|------------------|-----------|-----------------|------------------|----------------------------|-------|----------|----------------------------|
| | AA | 5268463 | 12/7/1993 | Jefferson | 536 | 23.7 | 12/8/1989 |
| | AB | 5695967 | 12/9/1997 | Van Bokkelen <i>et al.</i> | 435 | 91.1 | 6/7/1995 |
| | AC | | | | | | |
| | AD | | | | | | |

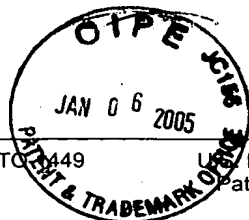
Foreign Patent Documents or Published Foreign Patent Applications

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation | |
|------------------|-----------|-----------------|------------------|--------------------------|-------|----------|-------------|----|
| | | | | | | | Yes | No |
| | AE | None | | | | | | |
| | AF | | | | | | | |

Other Documents (include Author, Title, Date, and Place of Publication)

| Examiner Initial | Desig. ID | Document |
|------------------|-----------|---|
| | AG | Borisjuk <i>et al.</i> , "Structural analysis of rDNA in the genus <i>Nicotiana</i> ", <i>Plant Mol. Biol.</i> 35:655-660 (1997) |
| | AH | Evans <i>et al.</i> , "Somatic hybrid plants of <i>Nicotiana glauca</i> and <i>Nictiana tabacum</i> obtained by protoplast fusion," <i>Plant Physiology</i> 48:25-230 (1980) |
| | AI | Genbank Accession No. Y08422 submitted 1996 |
| | AJ | Genbank Accession No. X76056 submitted 1993 |
| | AK | Genbank Accession No. D76443 submitted 1995 |
| | AL | Genbank Accession No. X52320 submitted 1990 |
| | AM | Jefferson <i>et al.</i> , "β-Glucuronidase from <i>Escherichia coli</i> as a gene-fusion marker ", <i>Proc. Natl. Acad. Sci.</i> 83:8447-8451 (1986) |
| | AN | Kao and Saleem, "Improved fusion of mesophyll and cotyledon protoplasts with PEG and high pH-Ca ²⁺ solutions", <i>J. Plant Physiology</i> 122:217-225 (1986) |
| | AO | Lindenbaum M, Perkins E, Csonka E, Fleming E, Garcia L, Greene A, Gung L, Hadlaczky G, Lee E, Leung J, MacDonald N, Maxwell A, Mills K, Monteith D, Perez CF, Shellard J, Stewart S, Stodola T, Vandenborre D, Vanderbyl S, Ledebur HC Jr., "A mammalian artificial chromosome engineering system (ACE System) applicable to biopharmaceutical protein production, transgenesis and gene-based cell therapy", <i>Nucleic Acids Res. Dec 07;32(21):e172</i> (2004) |
| | AP | Matzke <i>et al.</i> , "Inheritance and expression of a transgene insert in an aneuploid tobacco line", <i>Mol. Gen. Genet.</i> 245:471-485 (1994) |
| | AQ | Milbrandt <i>et al.</i> , "Amplification of a cloned Chinese hamster dihydrofolate reductase gene after transfer into a dihydrofolate reductase-deficient cell line", <i>Mol. Cell. Biol.</i> 3:1274-1282 (1983) |

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|---|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |



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|---|--------------|---|--|--|-------------------------------|
| Substitute Form PTO-449 (Modified) | | U.S. Department of Commerce Patent and Trademark Office | | Attorney's Docket No. 17084-004006/402E | Application No. 09/724,726 |
| List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b)) | | | | Applicant Hadlaczky, <i>et. al</i> | |
| | | | | Filing Date November 28, 2000 | Group Art Unit 1638 |
| Other Documents (include Author, Title, Date, and Place of Publication) | | | | | |
| Examiner Initial | Desig. ID | Document | | | |
| | AR | Monteith DP, Leung JD, Borowski AH, Co DO, Praznovszky T, Jirik FR, Hadlaczky G, Perez CF, "Pronuclear microinjection of purified artificial chromosomes for generation of transgenic mice: pick-and-inject technique," <i>Method Mol. Biol.</i> 240:227-42 (2004) | | | |
| | AS | Neumann, "Current development and deployment of transgenic food crops", <i>AgBiotechNet Proceedings 002 Paper 12:1-3</i> (2000) | | | |
| | AT | Novel <i>et al.</i> , "Mutants of E. coli K 12 unable to grow on methyl-beta-D-glucuronide: map location of uid A. locus of the structural gene of beta-D-glucuronidase", <i>Mol. Gen. Genet.</i> 120:319-335 (1973) | | | |
| | AU | Robert <i>et al.</i> , "Antisense RNA inhibition of beta-glucuronidase gene expression in transgenic tobacco plants", <i>Plant Mol. Biol.</i> 13:399-309 (1989) | | | |
| | AV | Szakal, B. <i>et al.</i> , "Cloning, characterization and localization of Chinese hamster HP1 isoforms", <i>Chromosome Res.</i> 12(5):483-93 (2004) | | | |
| | AW | Vanderbyl, S. <i>et al.</i> , MacDonald GN, Sidhu S, Gung L, Telenius A, Perez C, Perkins E, "Transfer and stable transgene expression of a mammalian artificial chromosome into bone marrow-derived human mesenchymal stem cells", <i>Stem Cells</i> 22(3):324-33 (2004) | | | |

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|---|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |